GOVERNMENT OF INDIA
LABOUR
LOK SABHA

UNSTARRED QUESTION NO:6132
ANSWERED ON:05.05.2003
NOTIFICATION ISSUED FOR CONTRACT LABOURERS
SUNIL KHAN

Will the Minister of LABOUR be pleased to state:

(a) the number of notifications issued by the Ministry under section 10 of Contract Labour (Regulation and Abolition) Act, since 1995;

(b) the number of notifications challenged by the employees/management in different courts and the reasons behind non-implementation of the notifications;

(c) the steps being taken by the Government to implement these notifications;

(d) the implementation status of the notifications where the employees/managements have not challenged;

(e) whether employers are still using the contract system as a camouflage and engaging contract labours in permanent and perennial jobs; and

(f) if so, the steps being taken to ensure that the workers are made direct employees of the employers?

Answer

MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI VIJAY GOEL)

(a) to (f): A statement is annexed.

STATEMENT REFERRED TO IN REPLY TO THE LOK SABHA UNSTARRED QUESTION NO. 6132 REGARDING NOTIFIC ISSUED FOR CONTRACT LABOURERS.

(a): 41 notifications have been issued by the Ministry under section 10 of the Contract Labour (Regulation & Abolition) Act,since 1995.

(b), (c) and (d): 14 notifications issued since 1995 have been challenged by employee/management in different courts. The Central Industrial Relations Machinery enforces the notifications issued under Contract Labour (Regulation & Abolition) Act, 1970. The establishments are, from time to time, inspected by the prescribed authorities under the Act and wherever, instances of violations of the notifications come to their notice, prosecution cases are filed against employers of such establishments.

(e) & (f): Instances of engagement of contract labour in permanent and perennial jobs brought to the notice of Government by way of complaints or inspection of establishments by the enforcement authorities or directions of different courts are examined in accordance with the provisions of Section 10 of the Act and notifications prohibiting employment of contract labour are issued wherever considered necessary. The Act does not provide for absorption of contract labour as direct employees of the principal employer on abolition of the contract labour system.